



WESTPORT, CONNECTICUT

DEPARTMENT OF PUBLIC WORKS

TOWN HALL, 110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
(203) 341 1120

MEMORANDUM

Date: 12/18/2019

To: Planning & Zoning Commission

From: Amrik Matharu, Engineer II

Re: 50 Compo Mill Cove, Special Permit Appl. #19-047

Reference Materials Reviewed:

- Town of Westport CAM Site Plan Application dated 09/05/2019.
- Plan prepared by LANDTECH, entitled, "Coastal Area Management Site Plan for the New Planter and Landscape Wall, Pasquale J. Malpeso Jr., 50 Compo Mill Cove, Westport, CT," dated 08/21/2019, as revised to 11/26/2019.
- Connecticut Department of Energy and Environmental Protection (CT DEEP) Certificate of Permission (COP) License # 201710242-COP, dated 02/09/2018.
- Plans prepared by RACE Coastal Engineering, 9-sheet set, entitled, "Coastal Area Management Site Plan for the Planter and Landscape Wall, Pasquale J. Malpeso Jr., 50 Compo Mill Cove, Westport, CT," with the following dates and revisions:
 - Sheet 3 dated 10/23/2017,
 - Sheet 4 dated 10/23/2017 as revised to 02/07/2018,
 - Sheet 4a dated 12/22/2017,
 - Sheet 5 dated 10/23/2017 as revised to 12/22/2017,
 - Sheet 6 dated 10/23/2017 as revised to 02/07/2018,
 - Sheet 7 dated 10/23/2017,
 - Sheet 8 dated 10/23/2017 as revised to 02/07/2018,
 - Sheet 9 dated 10/23/2017.
- Letter prepared by Brian P. Thompson, Director of the Inland Water Resource Division of the State of Connecticut Department of Energy & Environmental Protection, dated 12/10/2019.

Dear Planning & Zoning Commission:

Our office has reviewed the proposed activity as described by the above referenced documents. Based on these criteria, we offer the following comments:

1. **Project Description.** The applicant is proposing to retain a recently constructed planter and landscape wall.

2. **Grading.** The proposed grading as depicted on the plans substantially complies with the Town of Westport Zoning Regulations, Sec. 32-8: Excavation and Filling of Land. See comments below.
3. **Flood Zones & FEMA.** The parcel lies within Flood Zone AE (El. 13) and Flood Zone VE (El. 14). The new landscaping wall and planter are located within Flood Zone AE (El. 13) for which there are no issues.
4. **DEEP Jurisdiction.** The referenced materials reflect an “as-built” condition that does not appear to comply with CT DEEP Certificate of Permission (COP) 201710242 as described in a previous memorandum dated 09/18/2019. See comments below.

With respect to the referenced material, we offer the following comments:

1. **Grading/DEEP Jurisdiction.** The “as-built” condition depicted on the referenced LANDTECH plans reflects activity and grading that is inconsistent with the plans approved as part of the CT DEEP COP License #201710242. Refer to previous comments from this office dated 09/18/2019 for further discussion.

Furthermore, the recent review letter prepared by CT DEEP describes inconsistencies with coastal erosion control measure policies, as well as the approved COP plans referenced above. This office acknowledges that CT DEEP considers the upper “new landscape wall” depicted on this application a shoreline flood & erosion control structure, which does not appear appropriate for this application.

While the granting of this approval is at the discretion of the Commission, we would recommend against approval. We would recommended that the applicant comply with the approved Certificate of Permission and remain consistent with coastal erosion control practices.

Please contact me should you have any questions regarding the above items.

Thank you kindly,



Amrik Matharu,
Engineering Department